

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Kimball Area Public Schools,  
Independent School District No. 739,

Civil Case No. 23-CV-02637 (NEB/LIB)

Plaintiff/ Counterclaim Defendant,

v.

I.R.M., by and through his Parent,  
L.M.,

**DECLARATION OF  
JOEL TIMMERMAN IN SUPPORT  
OF COUNTERCLAIM  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

Defendants/ Counterclaim  
Plaintiffs.

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I, Joel Timmerman, declare and state as follows:

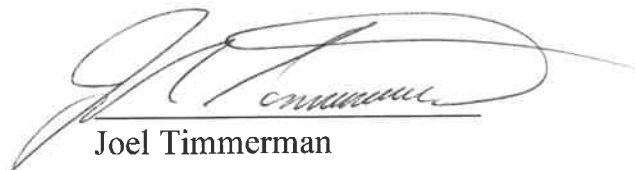
1. I am the Principal of Kimball Elementary School ("KES") in Independent School District No. 739 ("District") and have held that position since July, 2019.
2. I am competent to testify to the matters stated in this declaration and have personal knowledge of the facts and statements set forth herein. I make this declaration in support of Counterclaim Defendant's Memorandum of Law in Support of its Motion for Summary Judgment.
3. As Principal of KES I am responsible for the oversight of student attendance. When performing my student attendance related duties, I am responsible for checking the Minnesota Automated Reporting Student System ("MARSS") for student enrollment data.

4. MARSS is used by the Minnesota Department of Education (“MDE”) as the primary system for school districts and charter schools to report student data. The MDE collects a variety of student data, which is then used to compile student counts and enrollment data that drive funding for individual charter schools and school districts. MARSS contains extensive safeguards to ensure that student enrollment information is reported accurately. For example, all Minnesota students are assigned a unique MARSS ID number. If two different schools report a particular student’s attendance over the same time period, the MARSS system will flag that information and generate an error report. If a currently enrolled student at KES enrolls in another school district, the District is notified via MARSS of that student’s new enrollment.

5. I am familiar with I.R.M. and his attendance record during the 2022-2023 school year. I.R.M. was absent from school in the District on February 27, 28, and March 1, 2023. As of March 1, 2023, I.R.M.’s enrollment status in MARSS did not indicate that I.R.M. was homeschooled.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: *March 12<sup>th</sup>, 2025*

  
Joel Timmerman